

FILED*09 FEB 26 15:58 USDC-ORM

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

BONNIE McELRATH,

Civ. No. 08-1159-CL

Plaintiff,

v.

FISH RITE, INC., et al.,

ORDER

Defendants.

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Defendants have filed objections. I have reviewed the file of this case de novo. 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F. 2d 1309, 1313 (9th Cir. 1981).

Because I find no error, I adopt the Report and Recommendation.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#14) is

adopted. Defendants' motion to dismiss (#4) is denied.

IT IS SO ORDERED.

DATED this 24 day of February, 2009.



OWEN M. PANNER
U.S. DISTRICT JUDGE